

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

KENNETH FRAGOSO \$
VS. \$ CIVIL ACTION NO. 1:07cv437
BUREAU OF PRISONS, ET AL. \$

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Kenneth Fragoso, an inmate at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, brought this lawsuit against the United States Bureau of Prisons.

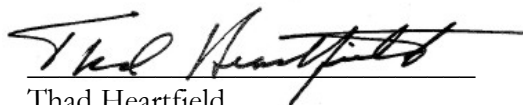
The court heretofore referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends this action be dismissed pursuant to FED. R. CIV. P. 41(a).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence.

ORDER

The court is of the opinion the findings of fact and conclusions of law of the magistrate judge are correct. The report of the magistrate judge is therefore **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

SIGNED this the **30** day of **August, 2007**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield
United States District Judge